

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	8:08CV82
)	
\$29,990.000 IN UNITED STATES)	ORDER
CURRENCY,)	
)	
Defendant.)	

NOW ON THIS 11 day of May, 2009, this matter comes on before the Court upon the Stipulation of the parties (Filing No 37). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. Twelve thousand dollars of the Defendant property should be returned to the Claimant, Bryan Stuart, by delivering the same to the trust account of his attorney of record, Beau G. Finley.

2. Pursuant to this Court's Order dated March 3, 2008 (Filing No. 6), the United States Marshal for the District of Nebraska ("Marshal") has published notice of his intent to dispose of the property in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on April 11, 2008 (Filing No. 11). In response to said published notice, no person or entity has filed a Petition setting forth any legal or equitable interest in the Defendant property.

3. The balance of the Defendant property, viz., \$17,990.00, should be forfeited to the United States.

4. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

B. Twelve thousand dollars of the Defendant property shall be returned to the Claimant, Bryan Stuart, by delivering the same to his attorney of record, Beau G. Finley. The Marshal shall deliver said amount by making payment to Beau G. Finley's Trust Account.

C. Pursuant to this Court's Order dated March 3, 2008 (Filing No. 6), the Marshal has published notice of his intent to dispose of the property in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on April 11, 2008 (Filing No. 11). No person or entity has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject property.

D. The remaining Defendant property, viz., \$17,990.00, is hereby forfeited to the United States. All right, title or interest in or to the Defendant property held by any person or entity is hereby forever barred and foreclosed.

E. The Marshal shall dispose of said \$17,990.00 in accordance with law.

F. Upon Mr. Finley's receipt of the \$12,000.00, as mentioned above, he shall file a Receipt for said amount. Upon the filing of said Receipt, this Court shall enter a Judgment in this action.

BY THE COURT:


F. A. GOSSETT, III
UNITED STATES MAGISTRATE JUDGE


Prepared and submitted by:

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Approved as to form and content:

\$29,990.00 IN UNITED STATES
CURRENCY, Defendant, and
BRYAN STUART, Claimant

By:


BEAU G. FINLEY (#21175)
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